

Tuesday, June 21, 1994

Senate

Chamber Action

Routine Proceedings, pages 13601–13829

Measures Introduced: Twelve bills and one resolution were introduced, as follows: S. 2216–2227, and S. Con. Res. 71.

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Measures Passed:

Whitewater Hearings: By 54 yeas to 44 nays (Vote No. 154), Senate agreed to S. Res. 229, authorizing oversight hearings by the Committee on Banking, Housing, and Urban Affairs, after taking action of the following amendment proposed thereto:

Page 13611

Rejected:

By 44 yeas to 54 nays (Vote No. 153), D'Amato (for Dole/D'Amato) Amendment No. 1818, in the nature of a substitute.

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Printing of a Senate Report: Senate agreed to S. Res. 196, to authorize the printing of additional copies of a Senate report entitled "Developments in Aging: 1993."

Page 13828

Use of Senate Recording Studio and Mass Mailings: Senate agreed to S. Res. 224, to amend the Standing Rules of the Senate for the use of the recording studio and mass mailings with respect to uncontested elections.

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Purchase of Calendars: Senate agreed to S. Res. 225, relating to the purchase of calendars.

Page 13828

Placement of Bust in Capitol: Senate agreed to H. Con. Res. 222, authorizing the placement of a bust of Raoul Wallenberg in the Capitol.

Page 13828

Treasury/Postal Service Appropriations, 1995: Senate continued consideration of H.R. 4539, making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1995, taking action on further amendments proposed thereto, as follows:

Pages 13636, 13659, 13662

Adopted:

(1) DeConcini Modified Amendment No. 1822, relating to non-profit mail rates and advertising exemptions.

Pages 13636, 13676

(2) Roth/Pryor Amendment No. 1824, expressing the sense of the Senate that Canadian restrictions on imports of United States chickens should be eliminated and Canada should comply with its obligations under the North

American Free-Trade Agreement and the Uruguay Round Agreements.

Page 13649

(3) Brown Amendment No. 1826, to limit use of funds for travel expenses to those employees directly responsible for the discharge of the official governmental tasks and duties for which the travel is being undertaken.

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(4) DeConcini Modified Amendment No. 1827 (to Amendment No. 1826), of a perfecting nature.

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(5) DeConcini Amendment No. 1828, to make certain technical corrections.

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(6) DeConcini (for Mitchell/Dole) Amendment No. 1829, to provide that the Secretary of the Treasury shall strike the medals awarded under the Congressional Award Act.

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(7) DeConcini Amendment No. 1830, to extend the civil service retirement provisions to inspectors and canine enforcement officers of the United States Customs Service.

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Rejected:

(1) Grassley Modified Amendment No. 1823, to limit funding on the Internal Revenue tax compliance initiative in fiscal year 1995. (By 54 yeas to 43 nays (Vote No. 155), Senate tabled the amendment.)

Page 13639

Pending:

Faircloth Amendment No. 1825, to certify that White House employees administering the drug testing program do not have a history of drug abuse.

Pages 13659, 13669

A unanimous-consent agreement was reached providing for a vote on the pending amendment to occur at 10 a.m., on Wednesday, June 22.

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During consideration of this bill today, the Senate also took the following action:

By 56 yeas to 38 nays (Vote No. 156), Senate tabled a motion to recommit the bill, with instructions, with a Smith amendment to reduce the total appropriations provided therein to a sum not greater than its Fiscal Year 1994 level.

Pages 13651, 13664

A unanimous-consent agreement was reached providing for further consideration of the bill and certain amendments to be proposed thereto.

Page 13657

Senate will continue consideration of the bill and amendments to be proposed thereto, on Wednesday, June 22.

Measures Indefinitely Postponed: Senate indefinitely postponed further consideration of the following bill:

Child Safety Protection Act: S. 680, to provide for toy safety.

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Messages From the President: Senate received the following messages from the President of the United States:

Transmitting, a draft of proposed legislation to amend the Social Security Act, the Food Stamp Act, and other relevant statutes to redesign the program of aid to families with dependent children to establish a program that provides time-limited, transitional assistance, prepares individuals for and requires employment, prevents dependency, overhauls the child support enforcement mechanism at both the State and Federal levels, and for other purposes; to the Committee on Finance. (PM-126).

Page 13677

Transmitting a report relative to the national emergency with respect to the Federal Republic of Yugoslavia (Serbia and Montenegro); referred to the Committee on Banking, Housing, and Urban Affairs. (PM-127).

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Nominations Confirmed: Senate confirmed the following nominations: Bonnie O'Day, of Massachusetts, to be a Member of the National Council on Disability for a term expiring September 17, 1995.

1 Navy nomination in the rank of admiral.

Pages 13677, 13829

Nominations Received: Senate received the following nominations: Mark W. Bennett, of Iowa, to be United States District Judge for the Northern District of Iowa.

Salvador E. Casellas, of Puerto Rico, to be United States District Judge for the District of Puerto Rico.

Daniel R. Dominguez, of Puerto Rico, to be United States District Judge for the District of Puerto Rico.

Delissa A. Ridgway, of the District of Columbia, to be Chairman of the Foreign Claims Settlement Commission of the United States for the remainder of the term expiring September 30, 1994.

Delissa A. Ridgway, of the District of Columbia, to be Chairman of the Foreign Claims Settlement Commission of the United States for a term expiring September 30, 1997.

John R. Lacey, of Connecticut, to be a Member of the Foreign Claims Settlement Commission of the United States for the term expiring September 30, 1995.

Richard L. Greene, of Maryland, to be Chief Financial Officer, Department of State.

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Messages From the President:

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Messages From the House:

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Measures Referred:

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Communications:

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Executive Reports of Committees:

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Statements on Introduced Bills:

Page 13683

Additional Cosponsors:

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Amendments Submitted:

Page 13823

Notices of Hearings:

Page 13825

Authority for Committees:

Page 13826

Additional Statements:

Page 13826

Record Votes: Four record votes were taken today. (Total—156)

Pages 13635, 13636, 13649, 13664

Recess: Senate convened at 9:15 a.m., and recessed at 9:25 p.m., until 9 a.m., on Wednesday, June 22, 1994. (For Senate's program, see the remarks of the Acting Majority Leader in today's RECORD on page 13828.)

Committee Meetings

NOMINATIONS

Committee on Agriculture, Nutrition, and Forestry: Committee ordered favorably reported the nominations of Mary L. Schapiro, of the District of Columbia, to be Chairman, and Sheila C. Bair, of Kansas, to be a Commissioner, both of the Commodity Futures Trading Commission; Doyle Cook, of Washington, to be a Member of the Farm Credit Administration; Marilyn Fae Peters, of South Dakota, to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation; and Clyde Arlie Wheeler, Jr., of Oklahoma, to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported, with an amendment, S. 2049, to reduce homelessness, reform public housing, expand and preserve affordable housing and home ownership, ensure fair housing for all, and empower communities.

DISNEY'S AMERICA PROJECT

Committee on Energy and Natural Resources: Subcommittee on Public Lands, National Parks and Forests concluded hearings to examine the potential impact of the proposed location of the Disney's America project on Manassas National Battlefield Park and other significant historic resources in northern Virginia, after receiving testimony from George T. Frampton, Jr., Assistant Secretary of the Interior for Fish and Wildlife and Parks; Jane F. Garvey, Deputy Administrator, Federal Highway Administration, Department of Transportation; Virginia Governor George F. Allen, Richmond; Kathleen K. Seefeldt, Prince William Board of County Supervisors, Prince William, Virginia; David McCullough, West Tisbury, Massachusetts; James M. McPherson, Princeton University, Princeton, New Jersey, and Richard Moe, National Trust for Historic Preservation, Washington, D.C., all on behalf of Protect Historic America; Peter Rummel, Disney Design and Development Corporation, Burbank, California; and Mark Pacala and Dana Nottingham, both of Disney's America, Gainesville, Virginia.

NOMINATIONS

Committee on the Judiciary: Committee concluded hearings on the nominations of Paul D. Borman, to be United States District Judge for the Eastern District of Michigan; Denise Cote, to be United States District Judge for the Southern District of New York; John G. Koeltl, to be United States District Judge for the Southern District of New York; Rosemary S. Pooler, to be United States District Judge for the Northern District of New York; and Lewis A. Kaplan, to be United States District Judge for the Southern District of New York, after the nominees testified and answered questions in their own behalf. Mr. Borman was introduced by Senator Levin, and Ms. Cote, Ms. Pooler, and Mr. Kaplan were introduced by Senator Moynihan, and Mr. Koeltl was introduced by Senator Moynihan and Representative Lowey.

FOREIGN SOVEREIGN IMMUNITY ACT

Committee on the Judiciary: Subcommittee on Courts and Administrative Practice concluded hearings on S. 825, to permit a foreign state to be subject to the jurisdiction of Federal or State courts in any case involving an act of international terrorism, after receiving testimony from Senator Specter; Representative Mazzoli; Stuart Schiffer, Deputy Assistant Attorney General, Civil Division, Department of Justice; Jamison S. Borek, Deputy Legal Advisor, Department of State; Abraham D. Sofaer, Hughes, Hubbard & Reed, Washington, D.C.; Chad Hall, Webster, Texas; Joseph Cicippio, Norristown, Pennsylvania; David P. Jacobsen, Tehachati, California; and Hugo Princz, Highland Park, New Jersey.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee will meet again on Thursday, June 23.

House of Representatives

Chamber Action

Bills Introduced: Eighteen public bills, H.R. 4604–4621; and two resolutions, H.J. Res. 381 and H. Res. 459, were introduced.

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Reports Filed: Reports were filed as follows:

H.R. 4603, making appropriations for the Department of Commerce, Justice, and State, the Judiciary, and related agencies programs for the fiscal year ending September 30, 1995, and making supplemental appropriations for these departments and agencies for the fiscal year ending September 30, 1994 (H. Rept. 103–552);

H.R. 4606, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1995 (H. Rept. 103–553); and

H. Res. 458, waiving certain points of order against H.R. 4602, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1995 (H. Rept. 103–554).

Pages 13550, 13569, 13571, 13599

Recess: House recessed at 11:13 a.m. and reconvened at noon.

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Military Academy Board of Visitors: The Speaker appointed Representatives Hefner, Laughlin, Fish, and DeLay, as members of the Board of Visitors to the United States Military Academy on the part of the House.

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Naval Academy Board of Visitors: The Speaker appointed Representatives Hoyer, Mfume, Bentley, and Skeen as members of the Board of Visitors to the United States Naval Academy on the part of the House.

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Air Force Academy Board of Visitors: The Speaker appointed Representatives Dicks, Hoagland, Hefley, and Young of Florida as members of the Board of Visitors to the United States Air Force Academy on the part of the House.

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White House Conference on Aging: The Speaker appointed Representatives Martinez, Jacobs, Hughes, and Morella to serve on the Policy Committee of the White House Conference on Aging on the part of the House.

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Federal Council on Aging: The Speaker reappointed Mrs. Josephine K. Oblinger of Williamsville, Illinois, from private life, on the part of the House, to the Federal Council on the Aging for a three-year term.

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Juvenile Justice Council: The Speaker appointed the following persons, from private life, to serve on the Coordinating Council on Juvenile Justice and Delinquency Prevention, on the part of the House: Mr. Gordon A. Martin, Jr., of Roxbury, Massachusetts, to a 3-year term; Mr. Michael J. Mahoney of Chicago, Illinois, to a 2-year term; and Ms. Mary Ann Murphy of Spokane, Washington, to a 1-year term.

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John C. Stennis Center: The Speaker appointed Representative Lewis of Georgia to the Board of Trustees for the John C. Stennis Center for Public Service Training and Development, on the part of the House.

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Independent Counsel Reauthorization: By a ye-and-nay vote of 317 yeas to 105 nays, Roll No. 258, the House agreed to the conference report on S. 24,

toreauthorize the independent counsel law for an additional 5 years—clearing the measure for the President.

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FHA Supplemental Appropriations: By a yea-and-nay vote of 410 yeas to 9 nays, Roll No. 259, the House passed H.R. 4568, making supplemental appropriations for the Department of Housing and Urban Development for the fiscal year ending September 30, 1994.

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H. Res. 439, the rule which waived points of order against the conference report, was agreed to earlier by a yea-and-nay vote of 243 yeas to 171 nays, Roll No. 257.

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Social Security Improvement Amendments: House disagreed to the Senate amendment to H.R. 4278, to make improvements in the old-age, survivors, disability insurance program under title II of the Social Security Act; and agreed to a conference. Appointed as conferees: Representatives Gibbons, Rostenkowski, Pickle, Jacobs, Ford of Tennessee, Archer, Bunning, and Santorum.

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Social Security Administration Improvements: House disagreed to the Senate amendment to H.R. 4277, to establish the Social Security Administration as an independent agency and to make other improvements in the old-age, survivors, and disability insurance program; and agreed to a conference. Appointed as conferees: Representatives Gibbons, Rostenkowski, Pickle, Jacobs, Ford of Tennessee, Archer, Bunning, and Santorum.

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The House agreed to the Santorum motion to instruct House conferees to insist on the language of section 231 of the House bill relating to the authority of the Social Security Administration to prevent, direct, and terminate fraudulent claims for SSI benefits.

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Freedom Summer Remembrance Day: House agreed to H. Res. 457, expressing the sense of the House of Representatives that June 21, 1994, be designated as "Freedom Summer Remembrance Day."

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Presidential Messages: Read the following messages from the President:

Work and Responsibility Act of 1994: Message wherein he transmits the "Work and Responsibility Act of 1994"—referred to the Committee on Ways and Means, the Committee on Education and Labor, the Committee on Agriculture, the Committee on Energy and Commerce, the Committee on the Judiciary, and the Committee on Foreign Affairs, and ordered printed (H. Doc. No. 103-273); and

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Sanctions Against Yugoslavia: Message wherein he transmits his report on Administration actions and expenses directly related to the exercise of powers and au-

thorities conferred by the declaration of a national emergency with respect to Yugoslavia—referred to the Committee on Foreign Affairs and ordered printed (H. Doc. No. 103-274).

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Referrals: Four Senate-passed measures were referred to the appropriate House committees.

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Senate Messages: Message received from the Senate appears on page 13547.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of the House today and appear on pages 13558, 13566, 13568. There were no quorum calls.

Adjournment: Met at 10:30 a.m. and adjourned at 7:12 p.m.

Committee Meetings

LABOR—HHS—EDUCATION APPROPRIATIONS

Committee on Appropriations: Ordered reported the Labor, HHS, and Education appropriation for fiscal year 1995.

OVERSIGHT

Committee on Banking, Finance and Urban Affairs: Subcommittee on International Development, Finance, Trade and Monetary Policy held an oversight hearing on two reform measures adopted last year by the World Bank: (1) a new disclosure of information policy, (2) establishment of an independent inspection panel to review complaints about violations of the Bank's policies, procedures, and loan agreements. Testimony was heard from Representative Kasich; Susan Levine, Deputy Assistant Secretary, International Development, Debt, and Environment Policy; and public witnesses.

HEALTH SECURITY ACT

Committee on Education and Labor: Continued markup of H.R. 3600, Health Security Act.

Will continue tomorrow.

REGULATION OF NICOTINE-CONTAINING TOBACCO PRODUCTS

Committee on Energy and Commerce: Subcommittee on Health and the Environment held a hearing on the status of the FDA's activities related to the regulation of nicotine containing tobacco products under the Federal Food, Drug, and Cosmetic Act. Testimony was heard from David A. Kessler, M.D., Commissioner, FDA, Department of Health and Human Services.

GATT IMPLEMENTATION

Committee on Foreign Affairs: Subcommittee on Economic Policy, Trade and Environment approved for full Committee action proposed legislative language to implement GATT.

STRENGTHENING PUBLIC AND FISCAL ACCOUNTABILITY: IMPLEMENTATION OF CHIEF FINANCIAL OFFICER ACT

Committee on Government Operations: Subcommittee on Legislation and National Security held a hearing on Strengthening Public and Fiscal Accountability: Implementation of the Chief Financial Officer Act of 1990. Testimony was heard from Alice M. Rivlin, Deputy Director, OMB; Charles A. Bowsher, Comptroller General, GAO; and public witnesses.

Hearings continue June 23.

GENERAL AVIATION REVITALIZATION ACT; PRIVATE CLAIMS AND IMMIGRATION BILLS

Committee on the Judiciary: Ordered reported as amended S. 1458, General Aviation Revitalization Act of 1994.

The Committee also ordered reported private claims and immigration bills.

ELEVATE OFFICE OF OCEAN AND COASTAL RESOURCES MANAGEMENT WITHIN NOAA

Committee on Merchant Marine and Fisheries: Subcommittee on Oceanography, Gulf of Mexico, and the Outer Continental Shelf held a hearing regarding proposals to elevate the Office of Ocean and Coastal Resource Management to the Assistant Administrator level within NOAA. Testimony was heard from Representative Eshoo; Douglas K. Hall, Assistant Secretary, Oceans and Atmosphere, NOAA, Department of Commerce; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Subcommittee on National Parks, Forests, and Public Lands held a hearing on the following bills: H.R. 359, to improve the administration of the Women's Rights National Historical Park in the State of New York; H.R. 3408 and S. 1586, to establish the New Orleans Jazz National Historical Park in the State of Louisiana; and H.R. 4158, to establish the Lower East Side Tenement Museum National Historic Site. Testimony was heard from Senator Johnston; Representatives Bonior, Slaughter, Jefferson, and Velázquez; the following officials of the National Park Service, Department of the Interior: Robert Belous, Superintendent, Jean Lafitte National Historical Park and Reserve, Louisiana; and Terry W. Savage, Acting Associate Regional Director, Planning, Development and Engineering, North Atlantic Region; and public witnesses.

INTERIOR APPROPRIATIONS

Committee on Rules: Granted a rule waiving clauses 2 and 6 of Rule XXI against all provisions in H.R. 4602, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1995, with the exception of those paragraphs under the heading "Pennsylvania Avenue Development Corpora-

tion." Testimony was heard from Representatives Yates, Tauzin, Regula, and Allard.

DEPARTMENT OF COMMERCE—ESTABLISH DESIGN CENTER

Committee on Science, Space, and Technology: Subcommittee on Technology, Environment and Aviation held a hearing on the establishment of a Design Council at the Department of Commerce. Testimony was heard from Michael J. Wozny, Director, Manufacturing, Engineering Laboratory, National Institute of Standards and Technology, Department of Commerce; and public witnesses.

HEALTH CARE REFORM

Committee on Ways and Means: Continued markup of health care reform legislation.

Will continue tomorrow.

INTELLIGENCE SUPPORT—ON INTERNATIONAL ORGANIZED CRIME

Permanent Select Committee on Intelligence: Subcommittee on Oversight and Evaluation met in executive session to hold a hearing on Intelligence Support to Policy and Law Enforcement on International Organized Crime. Testimony was heard from departmental witnesses.

Joint Meetings

NUCLEAR REGULATION

Committee on Governmental Affairs: Committee held joint hearings with the House Committee on Government Operations' Subcommittee on Environment, Energy, and Natural Resources to examine the extent of radioactive contamination at sewage treatment plants, and actions taken by the Nuclear Regulatory Commission to limit and monitor the radioactive material discharged into municipal sewer systems, receiving testimony from Jim Wells, Associate Director, Energy and Science Issues, Resources, Community, and Economic Development Division, General Accounting Office; Ivan Selin, Chairman, Nuclear Regulatory Commission; Michael B. Cook, Director, Office of Wastewater Management, Environmental Protection Agency; James O. Payne, Jr., on behalf of the Ohio Attorney General, Jane A. Harf, on behalf of the Ohio Environmental Protection Agency and the Ohio Department of Health, both of Columbus; and Erwin J. Odeal, Northeast Ohio Regional Sewer District, Cleveland.

Hearings were recessed subject to call.